THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.25011 of 2006

13.12.2006

Between:

Bylapudi Bhagavan Jayaram, S/o.Suryanarayana
And another

… Petitioners

AND

The Mandal Revenue Officer, Pendurthi Mandal, Visakhapatnam District
And others

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.25011 of 2006

ORDER:

The two petitioners allegedly purchased land admeasuring Acs.0.22 in survey No.228 of Pinagadi village of Pendurthi Mandal in Visakhapatnam District, under a registered sale deed dated 13.5.1996 from Gampa Maruthi Rama Krishna Rao, Gampa Venkatagiri and their minor sons. The petitioners state that the land is part of Gram Kantham, which belong to the petitioners' vendors. In the first week of October 2006, the first respondent made attempts to forcibly dispossess the petitioners. The petitioners, therefore, got issued a legal notice on 11.10.2006 and in spite of the same, the respondents are trying to dispossess the petitioners. Therefore, the present writ petition is filed.

After getting instructions, learned Assistant Government Pleader for Revenue (General-A) admits that the land admeasuring Acs.6.70 in survey No.228 is classified as Gram Kantham poramboke, that it vested in the Government and that the petitioners' vendors have no title to it, that the petitioners are illegal and unauthorized occupants of the land. He denies the allegation of forcible dispossession.

As the respondents do not deny the possession of the petitioners, unless and until appropriate action is taken under A.P. Land Encroachment Act, 1905, it is needless to say, the petitioners cannot be dispossessed forcibly. The first respondent is given liberty to take action in accordance with law.

The writ petition, with the above observations, is accordingly dismissed. No costs.

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(**V.V.S.RAO,J**)

December 13, 2006.

NOTE:

Issue order copy by
19.12.2006.

(By order)
YS